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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,292	09/25/2001	David Gok Louie	M-11978 US	9643
33031	7590	04/12/2006	EXAMINER	
CAMPBELL STEPHENSON ASCOLESE, LLP 4807 SPICEWOOD SPRINGS RD. BLDG. 4, SUITE 201 AUSTIN, TX 78759			WON, MICHAEL YOUNG	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/963,292

Applicant(s)

LOUIE ET AL.

Examiner

Michael Y. Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-37 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed January 23, 2006.
2. Claim 1 has been amended and claims 1-37 have been examined and are pending with this action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 12, 14-21, 24-32, 34, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajalli et al. (US 5,361,359 A) in view of Noguchi et al. (US 5,812,981 A).

INDEPENDENT:

As per ***claim 1***, Tajalli teaches an apparatus for creating an audit trail for an application program (see col.6, lines 63-65 and col.15, lines 3-7), the apparatus comprising:

means for selecting (see Fig.7; Fig.8, step #816; col.7, lines 1-3; and col.16, lines 16-18 & 28-30):

components to be audited from one or more components, wherein the application program being audited comprises the one or more components (see col.15, lines 63-68: "tracks operating system requests made by ordinary users 126 and **application programs 514**" such as "login attempts, file accesses and execution of programs"); and

one or more operations on the one or more components to be audited (see col.15, lines 15-20: "activities of all applications programs");

wherein the application program being audited also comprises:

the means for selecting components to be audited and the operations to be audited (implicit: Fig.8, step #816 and col.16, lines 28-30: "It extracts information... ").

Tajalli does not explicitly teach of a *business* component of an application program. Noguchi teaches of a business component of an application program (see Fig.1 and col.4, lines 25-40).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Noguchi within the apparatus of Tajalli by implementing business application program consisting of business components within the apparatus for creating an audit trail for an application program because Tajalli teaches that businesses and governments organizations wish to control how data will be processed and protect inventory

records (see Tajalli: col.1, lines 24-27 & 36-41). Therefore, if the apparatus were employed in business, the components would be business components.

Furthermore, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The auditing of components of an application program and one or more operations will be performed would be performed regardless of the application program type or the component type. Thus this descriptive material will not distinguish the claimed invention from prior art in terms of patentability.

As per **claim 14**, Tajalli teaches a system for creating an audit trail in an information system (see col.4, lines 54-59 and col.6, lines 63-65), comprising:

- an application program (see col.6, lines 63-65) comprising:

- at least one component (see col.15, lines 3-7 & 17-18: "audits activities of all application programs" and col.16, lines 16-24);

- a user interface operable to allow a user to select: one or more operations to be audited on (see col.6, line 67-col.7, line 1; col.7, line 9-10; col.16, lines 16-24: "configuration data... may indicate which requests are to be audited"; and col.21, lines 14-22);

- a set of instructions operable to detect when the selected operations are performed by the application program (see col.15, lines 3-7); and

a set of instructions operable to generate an audit transaction record when the selected operations by the application program are detected (see col.15, lines 15-20).

Tajalli does not explicitly teach of a *business* component of an application program. Noguchi teaches of a business component of an application program (see Fig.1 and col.4, lines 25-40).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Noguchi within the apparatus of Tajalli by implementing business application program consisting of business components within the system for creating an audit trail in an information system because Tajalli teaches that businesses and governments organizations wish to control how data will be processed and protect inventory records (see Tajalli: col.1, lines 24-27 & 36-41). Therefore, if the system were employed in business, the components would be business components.

Furthermore, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The auditing of components of an application program and one or more operations will be performed would be performed regardless of the application program type or the component type. Thus this descriptive material will not distinguish the claimed invention from prior art in terms of patentability.

As per **claim 24**, Tajalli teaches a method for creating an audit trail in an information system (see col.4, lines 54-59 and col.6, lines 63-65), the method comprising:

performing audit trail functions in an application program being audited (see col.16, lines 13-24) including:

generating a list of components included in the application program (see col.15, lines 3-7 & 17-18: "audits activities of all application programs" and col.16, lines 16-24);

presenting the list of components to a user (see col.15, lines 3-4: "makes available to the administrator");

allowing the user to select one or more of the components to be audited (see col.6, line 67-col.7, line 1; col.7, line 9-10; col.16, lines 16-24: "configuration data... may indicate which requests are to be audited"; and col.21, lines 14-22);

presenting the list of operations that can be performed on the components to a user (see col.15, lines 3-4: "makes available to the administrator" and col.15, lines 63-col.16, line 2);

allowing the user to select one or more of the operations to be audited for the selected components (see col.6, line 67-col.7, line 1; col.7, line 9-10; col.16, lines 16-24: "configuration data... may indicate which requests are to be audited"; and col.21, lines 14-22),

wherein the generating the list of components, the presenting the list of components, the allowing the user to select one or more of the

components, the presenting a list of operations, and allowing the user to select one or more of the operations are performed by the application program being audited (see col.16, lines 16-24: audit configuration data... may indicate which requests are to be audited depending upon...the nature or identity of an "object" accessed. (An object could be, for example, a file or a program)).

Tajalli does not explicitly teach of a *business* component of an application program. Noguchi teaches of a business component of an application program (see Fig.1 and col.4, lines 25-40).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Noguchi within the apparatus of Tajalli by implementing business application program consisting of business components within the method for creating an audit trail for in an information system because Tajalli teaches that businesses and governments organizations wish to control how data will be processed and protect inventory records (see Tajalli: col.1, lines 24-27 & 36-41). Therefore, if the method were employed in business, the components would be business components.

Furthermore, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The auditing of components of an application program and one or more operations will be performed would be performed regardless of the application program type or the component type. Thus this descriptive material will not distinguish the claimed invention from prior art in terms of patentability.

DEPENDENT:

As per **claim 2**, which depend on claim 1, Tajalli further teaches wherein the application program further comprises: means for detecting when the selected operations are performed (see col.18, lines 45-50).

As per **claim 3**, which depend on claim 2, Tajalli further teaches wherein the application program further comprises: means for generating an audit transaction record regarding the business component when the selected operations are detected (see col.7, lines 1-3 and col.16, lines 30-36).

As per **claim 4, 15, and 25**, which depend on claims 1, 14, and 24, respectively, Tajalli further teaches wherein the operations include at least one of: update, add, copy, and delete (see col.10, lines 7-13).

As per **claim 5, 16, and 26**, which depend on claims 1, 14, and 24, respectively, Tajalli teaches of further comprising user interface means for allowing the user to restrict access to the audit trail by at least one of: an employee identifier, an employment position, and an area of responsibility (see col.15, line 66 to col.16, line 1).

As per **claim 6, 17, and 28**, which depend on claims 3, 14, and 27, respectively, Tajalli teaches of further comprising means for storing the audit transaction record in an external database (see Fig.1 and Fig.3, #118).

As per **claims 7, 18, and 29**, which depend on claims 3, 14, and 27, respectively, Tajalli teaches of further comprising means for storing the audit transaction record in a file (see Fig.1, #119).

As per **claims 8, 19, and 30**, which depend on claims 7, 18, and 29, respectively, Tajalli teaches of further comprising means for importing the audit transaction record stored in the file to a database (see col.16, lines 44-46).

As per **claims 9, 20, and 31**, which depend on claims 3, 14, and 27, respectively, Tajalli further teaches wherein the audit transaction record includes at least one of: an identifier for the entity that accessed the business component or the field, the operation that was performed on the business component, when the operation was performed, a previous value of the field, a current value of the field, and how the value of at least a portion of the business component was changed (see col.16, lines 16-24; "identity of any "objects" accessed").

As per **claims 10, 21, and 32**, which depend on claims 3, 14, and 27, respectively, Tajalli teaches of further comprising means for allowing the user to query one or more of the audit transaction records (implicit: see col.17, lines 14-15).

As per **claims 12 and 34**, which depend on claims 1 and 24, respectively, Tajalli and Noguchi further teaches wherein the one or more business components comprise one or more fields, and further comprising: means for selecting the one or more fields to be audited; and means for generating an audit transaction record when one of the selected operations on one of the selected fields is detected (see claim 14 rejection above).

As per **claim 27**, which depend on claim 24, Tajalli teaches of further comprising: detecting when the selected operations are performed on one of the

selected business components; and generating an audit transaction record when the selected operations are detected (see claim 2 and 3 rejections above).

As per **claim 36**, which depend on claim 24, Tajalli and Noguchi further teach of a computer program product comprising: instructions for implementing the method of claim 24 (see Tajalli: col.15, lines 48-52).

As per **claim 37**, which depend on claim 24, Tajalli and Noguchi further teach of a data signal comprising: instructions for implementing the method of claim 24 (implicit: see Tajalli: col.15, lines 48-52; col.17, line 6).

4. Claims 11, 23, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajalli et al. (US 5,361,359 A) and Noguchi et al. (US 5,812,981 A), further in view of Darnell et al. (US 5,596,700 A).

As per **claims 11, 23, and 33**, which depend on claim 2, 14, and 27, respectively, Tajalli and Noguchi do not explicitly teach of further comprising means for prompting the user to enter a comment or a description of the operation when the selected operations are detected.

Darnell teaches of prompting the user to enter a comment or a description of the operation when the selected operations are detected (see col.3, lines 19-24 and col.11, lines 30-31).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of within the system of Tajalli and Noguchi by implementing prompting the user to enter a comment or a description of the operation when the selected operations are detected within the

apparatus of creating an audit trail for an application program because such an implementation provide numerous benefits similar to the functionality of writing notes on paper (see Darnell: col.1, lines 42-44), notepads or sticky pads (i.e., for reminders or sharing information with others).

5. Claims 13, 22, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajalli et al. (US 5,361,359 A) and Noguchi et al. (US 5,812,981 A), further in view of Smaha et al. (US 5,557,742 A).

As per **claims 13, 22 and 35**, which depend on claims 1, 14, and 34, respectively, Tajalli and Noguchi do not explicitly teach of further comprising means for allowing the user to restore the one or more of the fields to a previous state or value.

Smaha teaches of allowing the user to restore the one or more of the fields to a previous state or value (see col.9, lines 49-55).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Smaha within the system of Tajalli and Noguchi by implementing restoring the one or more of the fields to a previous state or value within the apparatus, system and method for creating an audit trail for an application program in an information system because such functionality allows the system to go back to the state prior to a "misuse".

Response to Arguments

6. Applicant's arguments filed January 23, 2006 have been fully considered but they are not persuasive.

A. Regarding claim 1, the applicant(s) argue that U.S. Pat. No. 5,361,359 A (*Tajalli et al.*) does not explicitly teach, "*wherein the application program being audited comprises the **means** for selecting*". The applicant(s) further adds that since the "audit configuration data" of *Tajalli* is stored on the protected medium 118aa and not within or included in the application program being audited, such limitation above is not met.

In response to the argument of claim 1, that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "**included in**") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

B. Regarding claims 14 and 24, the applicant(s) argue that *Tajalli* does not explicitly teach "*allow a user to select*" and "*allowing the user to select*", respectively.

In column 6, line 67 to column 7, line 1, *Tajalli* teaches of an administrator specifying the audit configuration data. In column 7, line 9-10, *Tajalli* teaches that the administrator monitors the system use "to the extent he desires". In column

16, lines 16-24, *Tajalli* teach of configuration data that is specified by the administrator. In column 21, lines 14-22, *Tajalli* teaches of modifying audit configuration data by the administrator. Because an administrator is merely a user with greater access privileges (see applicant(s) specification: page 5, line 19), the above cited reference locations clearly and explicitly teach the limitation “allow a user to select” and “allowing the user to select”.

C. The applicant(s) argue that the teachings of *Tajalli* have been misinterpreted because “*Tajalli*’s AA system is a separate auditing program and is not one of the application programs being audited”.

In response, although *Tajalli* does not further elaborate on the second type of auditing, the teachings in column 16, lines 3-5 imply that an audit may be done periodically to capture system activity information. Clearly, such teachings suggest *Tajalli*’s AA system (inherently an application program itself) auditing itself.

D. The applicant(s) argue that *Tajalli* teaches away from the “application program being audited comprises... the means for selecting” because *Tajalli* teaches “neither applications programs 514 nor ordinary user 128... can affect the auditing or the storage of usage auditing in any way” as recited in column 15, lines 20-24.

In response to the argument above the citation of *Tajalli* is irrelevant to the claim limitation. The citation of *Tajalli* is consistent with the teachings of the

claimed invention. The application program according to the specification does not affect the auditing, but rather "A user 102 with administrator privileges can enter information for creating an audit trail, such as business components 108 and fields within the selected business components 108, to be audited by invoking a particular enterprise application program 107 via the user interface module 104. Business components 108 and business services 109 coordinate to generate audit trails as specified by the user 102" (see page 5, lines 19-23)".

The applicant(s) seem to be asserting that the application program is somehow dynamically selecting the business components, when in fact the user controls the selecting and the application program merely houses the "audit trail logic 115" to determine the business components selected by the user.

Therefore according to the specification, the invention too teaches that neither the applications programs nor ordinary user (only a "user 102 with administrator privilege") can affect the auditing.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

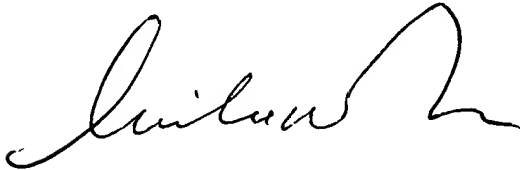
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Won



April 4, 2006



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER